

Message Text

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ACTION DLOS-07

INFO OCT-01 ARA-16 ISO-00 AF-10 EA-11 EUR-25 NEA-14 RSC-01

IO-14 CG-00 CIAE-00 DODE-00 PM-07 H-03 INR-11 L-03

NSAE-00 NSC-07 PA-04 PRS-01 SP-03 SS-20 USIA-15

AID-20 CEQ-02 COA-02 COME-00 EB-11 EPA-04 NSF-04

SCI-06 FEA-02 ACDA-19 AEC-11 AGR-20 DOTE-00 FMC-04

INT-08 JUSE-00 OMB-01 CIEP-03 CEA-02 TRSE-00 OIC-04

DRC-01 /297 W

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R 251708Z JUL 74

FM AMEMBASSY CARACAS

TO SECSTATE WASHDC 4935

UNCLAS SECTION 1 OF 2 CARACAS 6982

FROM US DEL LOS

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: LOS: DAILY REPORTING CABLE, COMMITTEE III, 19 JULY

1974

1. SUMMARY. COMMITTEE III FINISHED GENERAL STATEMENTS TODAY, HEARING 30 COUNTRIES. MOST LDC STATEMENTS WERE MORE MODERATE IN TONE THAN THE PREVIOUS DAY'S, ALTHOUGH MANY OF THE SAME POINTS WERE MADE. MEXICO AND SPAIN MADE POINTED REFERENCE TO NEED FOR REGULATION OF SATELLITES ENGAGED IN OCEANIC RESEARCH. THE USST AND JAPAN MADE A STATEMENT ENDORSING THEIR PRESENT POSITIONS AND CALLING ON LDC'S TO TAKE DEVELOPED COUNTRY'S INTEREST INTO ACCOUNT. ADDITIONALLY THE US MADE A GENERAL STATEMENT (TEXT TRANSMITTED SEPTTEL.

2. OF THE 30 SPEAKERS, 20 WERE LDC'S. PANAMA MADE A SHORT

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STATEMENT, RELATED MAINLY TO THE NEED FOR ADDITIONAL SCIENTIFIC

INFORMATION IN ORDER TO CONTROL POLLUTION. IRELAND, PERU, PORTUGAL, TANZANIA, IRAN, NIGERIA, VENEZUELA, IRAQ, AND KENYA ALL MADE STATEMENTS CALLING FOR CONSENT IN THE ECONOMIC ZONE WITH COASTAL STATE RIGHTS TO IMPOSE OBLIGATIONS ON THE RESEARCHER SIMILAR TO THOSE IN PARAGRAPH SEVEN OF THE US DRAFT ARTICLES. IN THE AREA BEYOND THE LIMITS OF NATIONAL JURISDICTION, THEY PROPOSED THAT THE AUTHORITY BE EMPOWERED TO ENGAGE IN RESEARCH EITHER ON ITS OWN OR IN A JOINT VENTURE WITH A STATE, AND THAT ANY RESEARCH IN THE INTERNATIONAL AREA BE SUBJECT TO THE RULES AND REGULATIONS OF THE AUTHORITY, WITH AN OBLIGATION TO TURN OVER DATA TO IT. ADDITIONALLY, SPAIN, INDIA, LIBYA, CONGO, CHINA, CALLED FOR A RESTRICTION ON THE PUBLICATION OF ANY DATA OR RESULTS OBTAINED IN THE ECONOMIC ZONE WITHOUT THE CONSENT OF THE COASTAL STATE. ALL LDC SPEAKERS REFERRED TO THE NEED FOR TECHNOLOGY TRANSFER AND ADVOCATED THAT POSITIVE PROVISION BE INCLUDED IN THE TREATY IN THIS REGARD. THE MOST FREQUENT REFERENCE WAS TO THE ESTABLISHMENT OF REGIONAL OCEANOGRAPHIC TRAINING CENTERS.

3. MEXICO, IN A LENGTHY STATEMENT, SAID THE VIEW THAT FREEDOM OF SCIENTIFIC RESEARCH WAS A NORM OF INTERNATIONAL LAW SHOULD BE "LAID TO REST" IN CARACAS. THEY DENIED THAT THERE WAS ANY WAY TO DISTINGUISH BETWEEN BASIC AND APPLIED SCIENCE, OR FUNDAMENTAL AND COMMERCIAL SCIENCE, AND STATED THAT ALL SHOULD BE REGULATED, BY THE COASTAL STATE IN THE ECONOMIC ZONE, OR THE AUTHORITY IN THE INTERNATIONAL AREA. THE MOST DISTURBING ASPECT OF THEIR SPEECH WAS A FIVE-MINUTE DISERTATION ON THE USE OF SATELLITES IN OCEANOGRAPHY. STATING THAT SUCH ACTIVITIES "HARM THE DEVELOPING COASTAL STATE," MEXICO SAID SATELLITE CONDUCTED RESEARCH WAS A MEANS TO AVOID COASTAL STATE REGULATION AND SO RULES AND REGULATIONS GOVERNING SUCH ACTIVITIES MUST BE CONSIDERED IN THE TREATY. SPAIN, SPEAKING LATER IN THE DAY, ENDORSED THIS AND EXPANDED IT TO INCLUDE ODAS.

4. THE PRC MADE A RELATIVELY MILD SPEECH AND ALTHOUGH AMKING AN OBLIQUE REFERENCE TO THE PUEBLO, CONFINED THEMSELVES TO SUBSTANTIVE POINTS ENDORSING THE GENERAL LDC APPROACH.

5. CUBA, CHARACTERIZING THEMSELVES AS AN ARCHIPELAGIC STATE, CALLED FOR A COASTAL STATE RIGHT OF CONSENT IN THE ECONOMIC ZONE, UNCLASSIFIED

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BUT STATED THAT IN THE AREA BEYOND NATIONAL JURISDICTION THERE SHOULD BE FREEDOM OF SCIENTIFIC RESEARCH WITH AN OBLIGATION FOR DEPOSIT OF DATA IN GLOBAL DATA CENTERS. THEY ALSO MADE REFERENCE TO ENCLOSED AND SEMI-ENCLOSED SEAS AS WELL AS INTERNATIONAL STRAITS, AND STATED THEY WERE SPECIAL CASES WHICH SHOULD BE CONSIDERED BY THE CONFERENCE IN DEVISING RULES FOR SCIENTIFIC RESEARCH.

6. SPAIN STATED THAT SCIENTIFIC RESEARCH VESSELS WERE SPECIAL

PURPOSE CRAFT AND SHOULD BE TREATED SEPARATELY FROM OTHER VESSELS.
THEY ADVOCATED PRIOR NOTIFICATION FOR PASSAGE AND ADHERENCE TO

SPECIAL RULES AND REGULATIONS FORMULATED BY COASTAL STATES.

7. CANADA MADE A STATEMENT CALLING FOR COASTAL STATE CONSENT IN
THE ECONOMIC ZONE AND ADHERENCE TO THE 1958 CONTINENTAL SHELF
CONVENTION BEYOND 200 MILES.

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FROM USDEL LOS

8. AMONG THE DEVELOPED COUNTRIES, ISRAEL MADE A STRONG STATE-
MENT ENDORSING FREEDOM OF SCIENTIFIC RESEARCH BEYOND THE TERRI-
TORIAL SEA AND POINTING OUT THE POSITIVE BENEFITS TO LDC'S.
SWEDEN ENDORSED THE 1973 ICSU RESOLUTION, BUT ADVOCATED CONSENT
ON THE SHELF. IN THE INTERNATIONAL AREA, THEY ADVOCATED CONSENT
BY ISRA FOR RESEARCH CONDUCTED ON THE DEEP SEABED, AND A RIGHT
FOR ISRA TO PARTICIPATE IN SUCH RESEARCH. THE FRG MADE A HELPFUL
STATEMENT AND CALLED FOR CONSENT ON THE CONTINENTAL SHELF ONLY

WHEN THE "STRUCTURE OF THE SHELF" WILL BE EFFECTED. THEY LINKED TECHNOLOGY TRANSFER TO MARINE SCIENCE AND MADE REFERENCE TO JOINT COOPERATIVE PROJECTS AND REGIONAL CENTERS. AUSTRIA STRESSED THE POSITIVE ASPECTS OF MARINE SCIENCE AND ADVOCATED FREEDOM OF RESEARCH OUTSIDE THE TERRITORIAL SEA SUBJECT TO MINIMAL OBLIGATIONS ON THE RESEARCHER. THEY ALSO CALLED FOR ADDITIONAL TRAINING FOR SCIENTISTS OF LANDLOCKED STATES, AND A RIGHT FOR SUCH STATES TO PARTICIPATE IN RESEARCH OR CONDUCT IT ON THEIR

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OWN. FINLAND ASKED THAT THE CONFERENCE CONSIDER DEVISING SEPARATE RULES FOR SEPARATE CATEGORIES OF RESEARCH, AND SUGGESTED THAT IT MIGHT BE APPROPRIATE NOT TO INCLUDE A SEPARATE CHAPTER ON SCIENTIFIC RESEARCH, BUT ADDRESS EACH CATEGORY INDIVIDUALLY IN THE APPROPRIATE SECTION. YUGOSLAVIA STATED THAT THE TIME HAD COME TO STOP CONSIDERING SCIENTIFIC RESEARCH AS ONE OF THE FREEDOMS OF THE HIGH SEAS, AND THAT THE CONFERENCE SHOULD DEVISE SPECIAL RULES TO REGULATE IT. THEY CALLED FOR CONSENT IN THE ECONOMIC ZONE AND "COOPERATION" BEYOND.

9. THE USSR IN A LENGTHY STATEMENT GAVE SEVERAL EXAMPLES OF COOPERATIVE VENTURES THEY WERE ENGAGED IN, AND PAST INSTANCES WHERE MOMENTOUS SCIENTIFIC DISCOVERIES HAD BEEN MADE AS A RESULT OF BASIC RESEARCH. THEY REFERRED TO THEIR ACCEPTANCE OF THE ECONOMIC ZONE CONCEPT AS A NEGOTIATING PRINCIPLE AND STATED THAT THE BASIS OF THAT AGREEMENT WOULD BE UNDERMINED IF THE LDCS INSISTED ON CONSENT FOR RESEARCH WHICH DID NOT PERTAIN TO EXPLORATION AND EXPLOITATION OF THE MINERALS OF THE SEABED OR LIVING RESOURCES OF THE SEA.

10. THE US MADE A GENERAL STATEMENT ADVOCATING OUR PRESENT POSITION AND POINTING OUT THE POSITIVE ASPECTS OF SCIENTIFIC RESEARCH. TEXT TRANSMITTED SEPTEL.

11. ALBANIA MADE AN ATTACK ON SCIENCE HEGEMONY AND STATED THAT US AND USSR WERE USING BANNER OF SCIENTIFIC RESEARCH TO SPY ON OTHERS AND TO TAKE FISH AND OTHER RESOURCES OF COASTAL STATES. ALBANIAN DELEGATE ADDED THAT COASTAL STATES SHOULD EXERCISE RIGHTS TO FULL NATIONAL JURISDICTION, THAT SCIENTIFIC RESEARCH SHOULD BE CONDUCTED ONLY AFTER PRIOR CONSENT, AND THAT TECHNOLOGY TRANSFER SHOULD BENEFIT ALL STATES.

12. GUINEA, LIBYA, CONGO, AND SENEGAL MADE RELATIVELY BRIEF STATEMENTS FOR COASTAL STATE CONSENT OF SCIENTIFIC RESEARCH AND FOR PARTICIPATION IN ANY PROJECTS CONDUCTED. THEY ALSO STRESSED NEED FOR INTERNATIONAL AUTHORITY TO CONDUCT AND CONTROL RESEARCH IN INTERNATIONAL AREA AND FOR TECHNOLOGY TRANSFER TO NARROW GAP BETWEEN DEVELOPED AND DEVELOPING STATES.

13. INDIA CALLED FOR CONSENT WITHIN THE ZONE, TERMINATION OF

RESEARCH IF RULES VIOLATED, AND RESERVATION OF AREAS OF ZONE FOR
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COASTAL STATE RESEARCH. ON TECHNOLOGY TRANSFER, INTERNATIONAL
AUTHORITY IS TO ACT AS RESERVOIR OF TECHNOLOGY UPON WHICH WORLD
CAN DRAW, AND EDUCATION AND TRAINING IS TO BE FOSTERED.

14. JAPAN STATED THAT BEYOND NATIONAL JURISDICTION THERE SHOULD
BE FREEDOM OF SCIENTIFIC RESEARCH SO LONG AS THAT RESEARCH DID
NOT INTERFERE WITH OTHER ACTIVITIES. ON RESEARCH WITHIN THE
AREA OF NATIONAL JURISDICTION, JAPAN RESERVED ITS POSITION AND
STATED THAT IT WILL PARTAKE IN COMMITTEE DISCUSSIONS.

15. IN SUMMING UP, CHAIRMAN YANKOV STRESSED NEED TO ESTABLISH
GENERAL FRAMEWORK OF REQUIREMENTS FOR CONDUCT OF SCIENTIFIC
RESEARCH, TO ESTABLISH SCOPE AND EXTENT OF COASTAL AND RESEARCHING
STATE RIGHTS AND OBLIGATIONS IN ZONE, AND TO CONSIDER FEASIBILITY
OF DRAWING DISTINCTION BETWEEN FUNDAMENTAL AND ECONOMIC RESEARCH.
HE ALSO SAID THAT THERE WAS COMMON AGREEMENT ON NEED FOR TECH-
NOLOGY TRANSFER, BUT THAT NOW THERE SHOULD BE CONCRETE PROPOSALS
IN THE FORM OF DRAFT ARTICLES RATHER THAN GENERAL STATEMENTS.
STEVENSON

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW OF THE SEA, CRACAS, COMMITTEE MEETINGS, MEETING PROCEEDINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 25 JUL 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974CARACA06982
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740202-0522
From: CARACAS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740719/aaaaapza.tel
Line Count: 249
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION DLOS
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: martinjw
Review Comment: n/a
Review Content Flags:
Review Date: 11 JUL 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <11 JUL 2002 by thomasv0>; APPROVED <21 JAN 2003 by martinjw>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LOS: DAILY REPORTING CABLE, COMMITTEE III, 19 JULY 1974
TAGS: PLOS, PBOR, PFOR
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005